

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

AUDREY D. HARRIS,

Petitioner.

v.

C.F.S. Air Cargo; HARTFORD FIRE;

No. 96-2684

DIRECTOR, OFFICE OF WORKERS'
COMPENSATION PROGRAMS, UNITED
STATES DEPARTMENT OF LABOR,
Respondents.

On Petition for Review of an Order
of the Benefits Review Board.
(No. 95-751)

Submitted: November 18, 1997

Decided: February 6, 1998

Before ERVIN and WILKINS, Circuit Judges, and
BUTZNER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

COUNSEL

Audrey D. Harris, Petitioner Pro Se. Gerard E. W. Voyer, TAYLOR
& WALKER, P.C., Norfolk, Virginia, for Respondents.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

OPINION

PER CURIAM:

Petitioner Audrey D. Harris, a longshoreman, injured her back, shoulder, and neck at work. An Administrative Law Judge ("ALJ") denied benefits, and Petitioner appealed to the Benefits Review Board (the "Board"). Because the Board failed to resolve the appeal (which had been pending for over one year) before September 12, 1996, the ALJ's decision was considered affirmed by the Board on that date for purposes of obtaining judicial review. See Omnibus Appropriations Act of 1996, Pub. L. No. 104-134, § 101(d), 110 Stat. 1321 (Apr. 26, 1996). In her timely petition, Petitioner argues that substantial evidence does not support the ALJ's determination that she did not suffer a disability due to her injury and thus was not entitled to disability benefits. Because substantial evidence supports the ALJ's decision, we affirm.

The record discloses that Petitioner's treating doctors found no objective evidence to verify Petitioner's contentions of prolonged physical injury resulting from her work accident. Furthermore, two doctors determined that Petitioner was capable of resuming her normal work activities shortly after her accident. Therefore, we find substantial evidence supports the ALJ's conclusion that Petitioner did not suffer a disability. The record further discloses that a doctor who treated Petitioner for over a year following her accident ascertained no causal connection between Petitioner's work accident and her carpal tunnel syndrome. Accordingly, we find that substantial evidence supports the ALJ's determination that Petitioner was not entitled to compensation for medical expenses incurred to treat her carpal tunnel syndrome.

We therefore affirm the ALJ's order and summary affirmance of the Board denying Petitioner relief under the Longshore and Harbor Workers' Compensation Act, 33 U.S.C.A. §§ 901-950 (West 1986 &

Supp. 1997). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED